

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 65th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON TRANSPORTATION**

**Call to Order:** Chair Steve Lavin, on March 20, 2017 at 3:15 PM, in Room 455 Capitol

#### **ROLL CALL**

##### **Members Present:**

Rep. Steve Lavin, Chair (R)  
Rep. George G. Kipp III, Vice Chair (D)  
Rep. Alan Doane (R)  
Rep. Dave Fern (D)  
Rep. Bruce Grubbs (R)  
Rep. Jim Hamilton (D)  
Rep. Denley M. Loge (R)  
Rep. Wendy McKamey (R)  
Rep. Bridget Smith (D)  
Rep. Kathy Swanson (D)  
Rep. Jeremy Trebas (R)

##### **Members Excused:**

Rep. Ray L. Shaw (R)  
Rep. Frank Garner, Vice Chair (R)

**Members Absent:** None

**Staff Present:** Abigail Konen, Committee Secretary  
Jason Mohr, Legislative Branch

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: SB 196, 3/15/2017  
Executive Action on: HB 473; HB 484; HJ 19; SB 311

**HEARING ON SB 196**

**Opening Statement by Sponsor:**

00:01:01 Sen. Steve Fitzpatrick (R), SD 10, Revise transportation laws related to traffic violations in work zones.

**Proponents' Testimony:**

00:03:26 Brian Thompson, Montana Contractors' Association (MCA)

00:04:22 Robert Armstrong, Montana Highway Patrol (MHP)

00:05:45 Trevor Livesay, Montana Lines

**EXHIBIT(trh57a01)**

00:11:17 Dwane Kailey, Montana Department of Transportation (MDT)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:12:12 Rep. Fern

00:13:56 Dwane Kailey, MDT

00:14:12 Rep. Loge

00:15:03 Sen. Fitzpatrick

00:15:36 Rep. Loge

00:16:07 Dwane Kailey, MDT

00:16:36 Rep. Hamilton

00:18:11 Sen. Fitzpatrick

**Closing by Sponsor:**

00:18:32 Sen. Fitzpatrick

00:19:16 Chair Lavin

00:19:37 Recess

00:33:26 Reconvene

**EXECUTIVE ACTION ON HJ 19**

00:33:44 **Motion:** Rep. McKamey moved that **HJ 19 BE CONCURRED IN.**

**Discussion:**

00:34:07 Jason Mohr, Legislative Services Division (LSD)

00:34:50 Rep. McKamey

00:35:12 Rep. Hamilton

00:35:52 Rep. Grubbs

00:36:44 Chair Lavin

00:37:09 Rep. Swanson

00:37:39 Rep. Grubbs

00:37:56 Rep. Loge

00:38:15 Chair Lavin

00:38:34 Larry Flynn, Montana Department of Transportation (MDT)

00:38:49 **Vote:** Motion carried 10-2 by voice vote with Rep. Doane and Rep. Hamilton voting no. Vice Chair Garner voted by proxy. Rep. Shaw was excused.

**EXECUTIVE ACTION ON SB 311**

00:39:30 **Motion:** Rep. McKamey moved that **SB 311 BE CONCURRED IN.**

**Discussion:**

00:39:42 Jason Mohr, LSD

00:40:14 **Motion:** Rep. Hamilton moved that **SB 311 BE AMENDED.**

[\*\*EXHIBIT\*\*](#)(trh57a02)

**Discussion:**

00:41:03 Rep. Hamilton

00:42:03 Rep. Fern

00:43:03 Spook Stang, Motor Carriers of Montana (MCM)

00:43:28 Rep. Fern

00:43:45 Spook Stang, MCM

00:44:23 Chair Lavin

00:44:43 Vice Chair Garner joined the meeting

00:44:49 Rep. McKamey

00:45:22 Spook Stang, MCM

00:46:00 Rep. Hamilton

00:46:30 Rep. Fern

00:47:25 Vice Chair Kipp III

00:48:27 Rep. Loge

00:49:04 **Vote:** Motion failed 1-12 by roll call vote with Rep. Hamilton voting aye. Rep. Shaw voted by proxy.

00:50:10 **Vote:** Motion carried unanimously by voice vote. Rep. Shaw voted by proxy. Rep. Fern will carry the bill.

00:51:01 Recess

00:54:22 Reconvene

**EXECUTIVE ACTION ON HB 473**

00:54:32 **Motion:** Vice Chair Garner moved that **HB 473 DO PASS.**

**Discussion:**

00:54:45 Vice Chair Garner

[\*\*EXHIBIT\*\*](#)(trh57a03)

01:02:09 **Motion:** Vice Chair Garner moved that **HB 473 BE AMENDED.**

[\*\*EXHIBIT\*\*](#)(trh57a04)

**Discussion:**

01:02:24 Vice Chair Garner  
01:03:30 Rep. Fern  
01:04:22 Rep. Loge

01:05:10 **Vote:** Motion carried 12-1 by voice vote with Rep. Trebas voting no. Rep. Shaw voted by proxy.

01:05:40 **Motion:** Vice Chair Garner moved that **HB 473 DO PASS AS AMENDED.**

**Discussion:**

01:05:48 Rep. Grubbs  
01:07:31 Vice Chair Garner

[\*\*EXHIBIT\*\*](#)(trh57a05)

01:07:57 **Motion:** Rep. Hamilton moved that **HB 473 BE AMENDED.**

[\*\*EXHIBIT\*\*](#)(trh57a06)

**Discussion:**

01:08:22 Rep. Hamilton  
01:09:21 Vice Chair Garner

01:10:24 **Vote:** Motion failed 2-11 by roll call vote with Rep. Hamilton and Rep. Trebas voting aye. Rep. Shaw voted by proxy.

01:11:18 Rep. Loge  
01:14:07 Rep. McKamey  
01:16:43 Rep. Swanson  
01:18:30 Rep. Fern  
01:19:09 Sam Schaefer, Legislative Fiscal Division (LFD)

[\*\*EXHIBIT\*\*](#)(trh57a07)

01:19:54 Rep. Shaw joined the meeting  
01:24:03 Rep. Fern  
01:24:26 Sam Schaefer, LFD  
01:25:11 Rep. Doane  
01:26:45 Vice Chair Garner  
01:29:47 Rep. McKamey  
01:30:36 Rep. Hamilton  
01:33:14 Rep. Shaw  
01:34:07 Spook Stang, Motor Carriers of Montana (MCM)  
01:34:48 Rep. Shaw  
01:36:26 Chair Lavin  
01:37:19 Vice Chair Kipp III  
01:41:46 Vice Chair Garner

01:42:48 **Vote:** Motion carried 10-3 by roll call vote with Rep. Doane, Rep. Hamilton and Rep. Trebas voting no.

01:43:43 Chair Lavin

**EXECUTIVE ACTION ON HB 484**

01:43:56 **Motion:** Rep. Hamilton moved to **RECONSIDER ACTION** on **HB 484**.

**Discussion:**

01:45:08 Rep. Fern  
01:45:34 Jason Mohr, LSD  
01:45:58 Rep. Hamilton  
01:46:28 Jason Mohr, LSD  
01:47:19 Rep. Loge  
01:48:22 Rep. McKamey  
01:48:30 Jason Mohr, LSD  
01:48:41 Rep. McKamey  
01:48:50 Rep. Swanson  
01:49:17 Rep. Loge  
01:49:26 Rep. Swanson  
01:49:34 Rep. Fern

01:50:47 **Vote:** Motion carried 9-4 by roll call vote with Rep. Doane, Rep. Lavin, Rep. Loge and Rep. Trebas voting no.

01:51:46 **Motion:** Rep. Hamilton moved that **HB 484 DO PASS**.

**Discussion:**

01:52:01 Rep. Hamilton  
01:53:51 Chair Lavin  
01:54:03 Rep. Grubbs  
01:54:17 Rep. Loge  
01:54:29 Jason Mohr, LSD  
01:54:46 Rep. Loge  
01:55:09 Rep. Fern  
01:55:34 Rep. Hamilton  
01:55:45 Rep. Fern  
01:56:10 Rep. Shaw  
01:57:00 Rep. McKamey  
01:57:18 Jason Mohr, LSD  
01:57:45 Rep. Hamilton  
01:57:59 Chair Lavin

01:58:34 **Vote:** Motion failed 6-7 by roll call vote with Rep. Fern, Vice Chair Garner, Rep. Hamilton, Rep. Shaw, Rep. B. Smith and Rep. Swanson voting aye.

01:59:25 **Motion/Vote:** Vice Chair Garner moved that **HB 484 BE TABLED AND THE VOTE REVERSED**. Motion was without objection.

**ADJOURNMENT**

Adjournment: 01:59:55

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Abigail Konen, Secretary

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Additional Documents:

**EXHIBIT**([trh57aad.pdf](#))